

1 David A. Foraker, OSB #81228
2 E-mail: david.foraker@greenemarkley.com
3 Sanford R Landress, OSB #81438
4 E-mail: sanford.landress@greenemarkley.com
5 Greene & Markley, P.C.
6 1515 SW Fifth Avenue, Suite 600
7 Portland, OR 97201
8 Telephone: (503) 295-2668
9 Facsimile: (503) 224-8434
10 Attorneys for Defendant Western National Bank

11
12
13
14

15 UNITED STATES BANKRUPTCY COURT

16 DISTRICT OF OREGON

17 In re) Case No 04-34670-tmb7
18 GKPS, INC ,)
19 Debtor) Chapter 7
20)
21) SUPPLEMENTAL DECLARATION OF
22) PAUL W. LUCAS RE: MOTION FOR
23) SUBSTANTIVE CONSOLIDATION
24
25
26

I, Paul W Lucas, being first duly sworn, declare:

1 I am an Executive Vice-President of Western National Bank ("WNB"). I am
2 competent to testify I make the statements in this declaration based on my personal knowledge

3 Attached as Exhibit 3 is a true and correct copy of WNB's payment history on

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Page 1 of 2 - SUPPLEMENTAL DECLARATION OF PAUL W LUCAS RE: MOTION FOR
SUBSTANTIVE CONSOLIDATION

GREENE & MARKLEY, P.C.
Attorneys at Law
1515 S.W. Fifth Avenue, Suite 600
Portland, Oregon 97201
Telephone (503) 295-2668

1 Loan No 222686 to Hospital and Surgical Center Management Services, LP, a Nevada limited
2 partnership (“HSC”).

3 I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE
4 BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS
5 MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR
6 PERJURY.

7 DATED: August 14, 2006


Paul Lucas

Paul Lucas

Symphony Healthcare V, LLC, Debtor; Adversary No. 06-03215-tmb

RODOLFO A. CAMACHO, Trustee, and AMY MITCHELL, Trustee, Plaintiffs vs. KENNETH W. PERRY, ROBERTA A. KALE, SUDHIR P. SRIVASTAVA, SURESH N. GADASALLI, and WESTERN NATIONAL BANK, Defendants.

Western National Bank's Response to Interrogatory No. 1:

Summary of Transfers on Loan# 222686

Date	Amount	Transferor	Transfer Account	Details	Additional Comments
1 1-Feb-02	\$1 000 000.00	WNB	Loan 222686	Loan Deposit	Funds deposited into Acct# 22403949
2 17-Mar-02	1 750.00	GKPS Inc	22403949	Interest Payment	* Transfer made per phone request by K. Perry *
3 18-Apr-02	6 027.78	GKPS Inc	22403949	Interest Payment	* Transfer made per request by K. Perry *
4 8-May-02	5 833.33	GKPS Inc.	22403949	Interest Payment	
5 3-Jun-02	6 027.77		** DETAILS UNRECOVERABLE**	Interest Payment	
6 1-Jul-02	5 833.34		** DETAILS UNRECOVERABLE**	Interest Payment	
7 1-Aug-02	6 027.77		** DETAILS UNRECOVERABLE**	Interest Payment	
8 3-Sep-02	6 027.78		** DETAILS UNRECOVERABLE**	Interest Payment	
9 1-Oct-02	5 833.33		** DETAILS UNRECOVERABLE**	Interest Payment	
10 3-Nov-02	6 027.78		** DETAILS UNRECOVERABLE**	Interest Payment	
11 2-Dec-02	5 513.89		** DETAILS UNRECOVERABLE**	Interest Payment	
12 2-Jan-03	5,597.22		** DETAILS UNRECOVERABLE**	Interest Payment	
13 31-Mar-03	10,652.78	GKPS Inc.	22403949	Interest Payment	* Interest due through 3/1/03 * Loan Renewed*
14 23-Apr-03	5 597.22	GKPS Inc.	22403949	Interest Payment	* Transfer made per email request by K. Perry *
15 23-Apr-03	100,000.00	Hospital and Surgical Center		Principal Payment	
16 30-Apr-03	50,000.00	GKPS Inc.	22403949	Principal Payment	* Transfer made per email request by K. Perry *
17 30-Apr-03	5,416.67	GKPS Inc.	22403949	Interest Payment	* Transfer made per email request by K. Perry *
18 8-Jul-03	50,000.00	Bulldog IT Corporation	Check #2036	Principal Payment	* Signed by Ken Perry * GKPS, Inc.*
19 8-Jul-03	4,604.17	Bulldog IT Corporation	Check #2036	Interest Payment	* Signed by Ken Perry * GKPS, Inc.*
20 3-Aug-03	50,000.00	Bulldog IT Corporation	Check #2064	Principal Payment	* Signed by Ken Perry * GKPS, Inc.*
21 3-Aug-03	4,604.17	Bulldog IT Corporation	Check #2064	Interest Payment	* Signed by Ken Perry * GKPS, Inc.*
22 3-Sep-03	50,000.00	Bulldog IT Corporation	Check #2085	Principal Payment	* Signed by Ken Perry * GKPS, Inc.*
23 3-Sep-03	4,540.97	Bulldog IT Corporation	Check #2085	Interest Payment	* Signed by Ken Perry * GKPS, Inc.*
24 31-Oct-03	7 998.60	GKPS Inc.	22403949	Interest Payment	* Interest for 9/1/03 and 10/1/03 *
25 20-Nov-03	3 918.05	GKPS Inc.	22403949	Interest Payment	
26 19-Dec-03	3 791.68	GKPS Inc.	22403949	Interest Payment	
27 13-Feb-04	7,836.11	Healthcare Business Credit	22403922	Interest Payment	
28 13-Feb-04	102 163.89	Healthcare Business Credit	22403930	Principal Payment	
29 13-Feb-04	90 000.00	Healthcare Business Credit	22403922	Principal Payment	
30 30-Mar-04	3,046.73	GKPS Inc	22403655	Interest Payment	
31 29-Apr-04	2 790.12	GKPS Inc.	22403957	Interest Payment	
32 30-Jun-04	510 883.12	Hospital and Surgical Center	Wire Transfer	Payoff	* Payment after loan extension *

1 CERTIFICATE OF SERVICE

2 I hereby certify that I served the foregoing SUPPLEMENTAL DECLARATION OF
3 PAUL W. LUCAS RE: MOTION FOR SUBSTANTIVE CONSOLIDATION on:

4 Matthew A. Goldberg, Esq.
5 Preston Gates & Ellis LLP
6 222 SW Columbia St., #1400
7 Portland, OR 97201-6632
8 Facsimile No. (503) 248-9085

9 Of Attorneys for Rodolfo A. Camacho
10 Chapter 7 Trustee

11 Brad T. Summers, Esq.
12 Ball Janik LLP
13 101 SW Main St., #1100
Portland, OR 97204
Facsimile No. (503) 295-1058

14 Of Attorneys for Amy Mitchell
15 Chapter 7 Trustee

16 J. Stephen Werts, Esq.
17 Cable Huston Benedict Haagensen & Lloyd LLP
18 1001 SW 5th Avenue, #200
Portland, OR 97204
Facsimile No. (503) 224-3176

19 Douglas Pahl, Esq.
20 Perkins Coie LLP
21 1120 NW Couch Street, 10th Floor
Portland, OR 97209-4128
Facsimile No. (503) 727-2222

22 Of Attorneys for Sudhir P. Srivastava and
23 Suresh N. Gadasalli

24 by **faxing** a full, true and correct copy thereof to the parties at the fax numbers shown
above, which is the last known fax numbers for the parties' office on the date set forth
below.

25 I further certify that, on the date set forth below, true and correct copies of the
foregoing SUPPLEMENTAL DECLARATION OF PAUL W. LUCAS RE: MOTION
FOR SUBSTANTIVE CONSOLIDATION was served by electronic notice through the
bankruptcy court's ECF system, upon the following:

26 Matthew A. Goldberg, Esq.
Preston Gates & Ellis LLP
222 SW Columbia St., #1400
Portland, OR 97201-6632
mgoldberg@prestongates.com

27 J. Stephen Werts, Esq.
28 Cable Huston Benedict Haagensen & Lloyd LLP
1001 SW 5th Avenue, #200
29 Portland, OR 97204
swerts@chbh.com

1 U.S. Trustee
2 620 SW Main St., Rm 213
2 Portland, OR 97205
3 USTPRegion18.PL.ECF@usdoj.gov

4 DATED this 15th day of August, 2006.
5
6

7 /s/ Sanford R. Landress
8 Sanford R. Landress, OSB #81438
8 Attorneys for Defendant Western
9 National Bank

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Page 2 of 2 - CERTIFICATE OF SERVICE